

Remarks:

This is a full and complete response to the Office action dated September 30, 2008. Favorable reconsideration of the claims is respectfully requested.

REGARDING THE CLAIMS:

Claims 12-14, and 17-30 are pending in the application. No amendments are made with this reply. No new matter has been added.

IN RESPONSE TO THE OFFICE ACTION:

REJECTION UNDER 35 U.S.C. § 102:

Claims 11-14 and 17-30 stand rejected under 35 USC §103(a) as being unpatentable over Victor et al., US Pat. No. 6,127,094 ("**Victor**"). Applicants respectfully traverse this rejection.

The Examiner has maintained the rejection of the present claims that Victor discloses the block copolymer of the present claims. In particular the Examiner argues that Victor teaches a liquid isoprene and liquid butadiene meet the limitations of monomers for the block copolymer in component (E). The Examiner asserts that the elastomeric block copolymer of Victor includes the linkages of isoprene/butadiene, continues to read on Applicants' formula A-C-A, and is therefore not different.

Applicants note the present claims recite a photopolymerization composition, "consisting essentially of" components (a)-(d), where component (a) includes a block copolymer A-C-A or (A-C)_nX (2).

As noted in MPEP §2111.03, this transitional phrase "limits the scope of a claim to the specified materials or steps 'and those that do not materially affect the basic and novel characteristics of the claimed invention.'"

Even if **Victor** did disclose components A-C-A, the photosensitive resin composition of **Victor** requires additional components which would materially affect the basic and novel characteristics of the claimed invention. For example, the composition of **Victor** includes in part (A), Col. 3, lines 46-53:

(A) in the range of about 25 up to about 80 wt% of at least one copolymer consisting essentially of in the range of:

- (i) about 25 up to about 95 mol % of at least one elastomer forming monomer,
- (ii) about 0.5 up to about 30 mol % of at least one α,β -ethylenically saturated carboxylic acid, and
- (iii) about 0.1 up to about 50 mol % of at least one polyfunctional vinyl monomer;

As the composition of **Victor** must include the above, and its inclusion would materially affect the claimed invention, Applicants respectfully assert that for at least this reason alone **Victor** falls outside the scope of the present claims. This is true even if **Victor** discloses a block copolymer of A-C-A. The reference requires additional components thereby falling outside the scope of the present claims. This is true due to the inclusion of the transitional phrase “consisting essentially of” in claim 11.

Therefore, Applicants respectfully request the above mentioned rejection be withdrawn.

Applicants further note that liquid isoprene and liquid butadiene are not the same as block copolymers having the formula A-C-A or (A-C)_nX. As indicated in **Victor**, these are linear polymers but not block copolymers. This can be seen by the fact that linear thermoplastic polymers are discussed on Col. 3, lines 64 to Col. 4, line 5 of the reference, and other linear polymers are discussed in Col. 4, lines 6-8 of the reference. Linear liquid isoprene and liquid isoprene is mentioned as a linear polymer in col. 7, line 51. However, even though liquid poly(isoprene) and liquid(polybutadiene) are recited as auxiliaries in the claim, this still does not change the fact that **Victor** requires additional components which cause such composition to fall outside the instant claims.

The Examiner on page 5 of the Office Action states that “Applicant is claiming a block copolymer or polymer in an elastomeric composition is not material to the composition.” This is incorrect. Applicants claim includes elements (a) through (d). The composition of **Victor** requires additional components beyond that recited in the claims including those of elements (a) through (d). The addition of these components of

Victor would materially affect the currently claimed composition according to MPEP §2111.03.

The fact that part (d) of Applicants claims includes optional auxiliaries does not prevent Applicants from taking advantage of the transitional phrase “consisting essentially of.” Applicants claimed invention may include these auxiliaries and not depart from the claimed invention. However, inclusion of **Victor**’s component (A) is outside of the scope of parts (a) through (d) of the present claims as discussed above and their inclusion materially affects the basic and novel characteristics of the claimed invention. **Victor**’s part (A) falls outside the scope of the present claims even including Applicants’ claimed “auxiliaries.” Accordingly, **Victor** does not disclose or suggest the claimed invention.

Accordingly, Applicants respectfully request the above mentioned rejection be withdrawn.

In view of the comments above, it is respectfully requested that the rejections be withdrawn and a Notice of Allowance issue with respect to the currently pending claims.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 8132.003.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

Novak Druce + Quigg LLP
1000 Louisiana, Fifty-Third Floor
Houston, Texas 77002
(713) 571-3400
(713) 456-2836 (fax)
Jason.Bryan@novakdruce.com

December 30, 2008

Respectfully submitted,

/Jason W. Bryan/

Jason W. Bryan
Reg. No. 51,505